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BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Investigation into U S WEST Communications, Inc.'s Compliance with § 271 of the Telecommunications Act of 1996	Docket No. UT-003022
In the Matter of U S WEST Communications, Inc.'s Statement of Generally Available Terms Pursuant to Section 252(f) of the Telecommunications Act of 1996	Docket No. UT-003040 QWEST'S RESPONSE TO AT&T'S MOTION TO CONTINUE THE PERFORMANCE ASPECTS OF THE DECEMBER 18-21 HEARING

Qwest Corporation ("Qwest") hereby responds to AT&T's motion to continue, and respectfully requests that the Washington Utilities and Transportation Commission ("Commission") maintain its plan to consider performance data during the scheduled December 18-21 hearing. Despite AT&T's assertions to the contrary, it is appropriate to discuss Qwest's performance data so the Commission can (1) obtain an overall view of how Qwest is providing interconnection, UNEs and services to CLECs in Washington, and (2) to allow the Commission to become familiar with Qwest's performance data. Furthermore, AT&T's assumption that performance data can not be discussed until all data reconciliation issues have been resolved is unfounded.

1 **I. INTRODUCTION**

2 AT&T seeks a continuance of the performance aspects of the scheduled December hearing
3 for three purported reasons: (1) the Liberty Consulting Group has not yet begun data reconciliation
4 for the state of Washington; (2) it believes Qwest’s performance data is unreliable; and (3) the
5 performance data the Commission will evaluate will be outdated by the time the FCC considers
6 Qwest’s 271 application for the state of Washington. Qwest will respond to each point in turn.

7 **II. LIBERTY’S DECEMBER 3 RECONCILIATION REPORT APPLIES TO**
8 **WASHINGTON**

9 The principal reason set forth by AT&T to continue the performance aspects of the hearing
10 is that Liberty Consulting Group’s Data Reconciliation Report (“Report”) issued on December 3,
11 2001 “covers only Arizona.” *AT&T Motion at 1*. This is simply untrue, as the text of the Report
12 itself explains:

13 This first report by Liberty on data reconciliation addresses only
14 Arizona data. A test of data from other states is within the current
15 scope of the work. *Liberty considers important aspects of the results*
16 *of Liberty’s review for Arizona to apply to other states.* Liberty
17 provides recommendations in this report about how data
18 reconciliation testing might best proceed in other states, given such
19 applicability.

20 Liberty Report at 3 (emphasis added).¹ Thus, while Liberty analyzed Arizona data in the Report,
21 the results of the Report apply equally to all 14 Qwest states.

22 The scope of the Liberty reconciliation effort to date has focused on helping the three
23 interested CLECs (AT&T, WorldCom and Covad) understand why their view of Qwest’s
24 performance differs from Qwest’s performance data. In its Report, Liberty analyzed discrepancies
25 on an order by order basis and identified the principal causes of the discrepancies between the
26 parties. Liberty found that its completed reconciliation to be “largely responsive” to satisfying the

¹ Qwest attaches the Liberty Reconciliation Report as *Exhibit 1*.

1 CLECs stated objective in this regard across the entire region. *Report at 19*. A large component
2 of data reconciliation is therefore complete.²

3 Nonetheless, Liberty does recommend additional focused reconciliation using a sampling
4 of records. Specifically:

5 *Liberty concluded on the basis of the work done in Arizona that the*
6 *information provided by CLECs did not demonstrate material*
7 *inaccuracies in how Qwest reported its performance. However,*
8 *Liberty also believes that there is value to some level of data*
9 *reconciliation in other parts of Qwest's region. To gain that value,*
10 *the focus should be on a more detailed review of selected or*
11 *sampled records rather than attempting to explain the reasons why,*
12 *for example, one party's denominator of a particular measure and*
13 *product is different than the other's. If the goal is to provide*
14 *additional assurance that Qwest's performance measures are*
15 *accurate, then more focused work on questions like the assignment*
16 *of customer jeopardy to service orders or no-trouble-found close-*
17 *outs of trouble tickets could prove beneficial. If, however, the goal is*
18 *to explain generally why CLECs' results are so much different from*
19 *those reported by Qwest, then Liberty considers the results found in*
20 *Arizona to be largely responsive in meeting that goal.*

21 *Report at 19 (emphasis added)*. As a result of this comment, Qwest does not object to a
22 continuance of the data reconciliation aspect of the December 18-21 hearing. Nonetheless, the
23 Report provides enough assurance about the accuracy of Qwest's data to justify the planned
24 hearing on performance data.

25 **III. OUTSIDE PARTIES HAVE REPEATEDLY FOUND QWEST'S PERFORMANCE**
26 **DATA ACCURATE.**

AT&T also asks for a continuance because it claims that Qwest's performance data "is not
reliable." *AT&T Motion at 2*. Several outside consultants have been combing over Qwest's

² AT&T may argue that the Report suggests that there may be regional differences between Qwest's data collection efforts in Washington and Arizona. The Report does make this reference because on November 29, 2001 Liberty issued a data request asking whether there are regional differences in data collection efforts. On December 3, 2001, Qwest responded to the data request and explained that the data the 3 CLECs are questioning is all processed and maintained by a few select centers across the region. Thus both the processes and personnel responsible for the individual orders analyzed in Arizona are the same processes and personnel responsible for processing similar orders in Washington. *See Exhibit 2*. This adds substantial additional weight to Liberty's conclusion continuing with additional reconciliation as contemplated in Arizona would be duplicative and unnecessary.

1 performance data for over two years now. Liberty Consulting has been one of the consultants
2 involved in data review during this entire span of time and has undertaken two important tasks on
3 behalf of the ROC. First, it completed a Performance Measure Audit (“PMA”). Second, it is
4 performing this data reconciliation. In its completed PMA Report, Liberty concluded that Qwest's
5 performance data "accurately and reliably report actual Qwest performance."

6 This, however, was not enough for a few CLECs. AT&T argued that “the audit did not
7 perform a complete review of the input data that forms the basis for the reported results.” *Affidavit*
8 *of John Finnegan (October 12, 2001), at ¶ 6.* This essentially means that AT&T was not
9 convinced that Qwest’s service representatives were properly identifying whether orders should be
10 included or excluded from the performance results. Most orders are included; however, when a
11 due date is missed because the CLEC is not ready, the order is properly coded for exclusion from
12 Qwest’s reported performance.

13 Virtually all of Liberty’s work in the data reconciliation process to date has focused on
14 these “exclusions.” Despite three months of work, “Liberty concluded on the basis of the work
15 done in Arizona that the information provided by CLECs did not demonstrate material
16 inaccuracies in how Qwest reported its performance.” *Report at p. 19.* Thus, Liberty concluded in
17 the PMA that Qwest’s performance data was accurate and affirmed that conclusion in its data
18 reconciliation effort. While it is true that Liberty has recommended limited additional
19 reconciliation, the overwhelming weight of the evidence shows that Qwest’s data is accurate.
20 Certainly it is not premature to evaluate Qwest’s data to obtain an overall understanding of how
21 Qwest is performing for CLECs in the marketplace today.

22 **IV. IT IS IMPORTANT FOR THE COMMISSION TO GET AN UNDERSTANDING**
23 **OF QWEST’S PERFORMANCE DATA.**

24 AT&T’s also argues that the FCC “prefers to review the latest four months of performance
25 data” when completing its 271 evaluation. While this is true, if anything this supports the need for
26 a December hearing on performance data. As AT&T recognizes, Qwest will file an application

1 with the FCC in early 2002 seeking 271 relief for the state of Washington. When this occurs, the
2 Commission will have 20 days to submit comments to the FCC. At the same time, Qwest's 271
3 application will contain the four most recent months of performance data. Each month, Qwest
4 generates a 275-300 page report describing how it has provided checklist items to CLECs in
5 Washington over the past 12 months.

6 Thus, when Qwest files its 271 application with the FCC, in the best circumstance the
7 Commission will have one additional month of performance data it needs to evaluate before
8 submitting comments. The Commission, therefore, must be sufficiently familiar with Qwest's
9 performance reporting so it can evaluate Qwest's most current performance in a timely manner.
10 Allowing Qwest to present its performance data in the December hearing will provide a forum for
11 the Commission to become educated on (1) how Qwest reports its data; (2) how the FCC evaluates
12 performance data; and (3) what concerns CLECs have about Qwest's performance data. This will
13 be invaluable and will allow the Commission to decide how, if at all, it would like to be informed
14 further about Qwest's monthly performance.

15 **V. FINAL RESOLUTION OF ALL OUTSTANDING DATA RECONCILIATION**
16 **ISSUES IS NOT PREREQUISITE TO THE COMMISSION'S CONSIDERATION**
17 **OF QWEST'S PERFORMANCE DATA.**

18 Finally, AT&T explicitly premises its motion on its conclusion that "[a] completion of the
19 reconciliation process is necessary prior to determining whether the data that Qwest is producing
20 in Washington can be relied upon for purposes of evaluating its performance." *AT&T Motion at*
21 *1-2*. For this reason, AT&T concludes consideration of "the entire subject of performance is
22 premature." *Id. at 1*. With all due respect, AT&T is wrong; its position is undermined by the
23 Commission's scheduling of both data reconciliation and performance data issues for the same
24 hearings. Had the Commission believed or intended that Qwest's performance data could not be
25 reviewed until the data reconciliation process was concluded, it would not have set the two issues
26 for concurrent consideration.

1 **VI. CONCLUSION**

2 Qwest respectfully requests that the Commission maintain its plan to consider Qwest's
3 performance data during the scheduled December 18-21 hearing.

4 Respectfully submitted this ____ day of December, 2001.

5 QWEST

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